

respectfully submit that in view of the Amendment the rejections have been overcome and therefore respectfully request that they be withdrawn.

Initially, Claims 13-18 and 23-25 have been withdrawn from consideration as they are drawn to a non-elected invention. Applicants have cancelled these claims without prejudice or disclaimer. In this regard, Applicants reserve the right to pursue these claims in a divisional application as they have been restricted out of the application by the Patent Office.

Claims 4, 9, and 20 stand rejected under 35 U.S.C. § 112 as having improper Markush language. Applicants have amended these claims as suggested by the Office Action and therefore respectfully request that this rejection be withdrawn.

Claims 1, 2, 4, and 7-9 stand rejected under 35 U.S.C. § 102 and Claims 1-12, and 19-22 under 35 U.S.C. § 103 in view of U.S. Patent No. 4,639,368 (*Niazi*). Applicants respectfully submit that in view of the amendment to independent Claims 1, 7, and 19 that this rejection has been overcome.

Each of these the pending independent claims have been amended to add the limitation of providing a chewing gum “consisting of a water-soluble portion, a water-insoluble base, sweeteners, flavor”. In view of this amendment, these claims clearly distinguish over *Niazi*. In this regard, *Niazi* requires a carbon dioxide generator. The “consisting of” language of Applicants’ claims specifically excludes such a carbon dioxide generator. Therefore, as amended none of the claims are anticipated by *Niazi*.

Nor is there any suggestion in *Niazi* that such a carbon dioxide generator could be removed. Indeed, in *Niazi* the carbon dioxide generator is believed to be necessary to provide a local, topical anesthesia affect. This affect serves to mask any undesirable off-taste that may result from the release of a medicament into the mouth. See column 5, lines 3-6 of *Niazi*.

In contrast, Applicants' claims invention relies on flavors and sweeteners to mask any off-taste. This provides a product that in Applicants' opinion is easier to manufacture and more commercially viable. Therefore Applicants respectfully submit that the claimed invention is non-obvious over *Niazi*.

Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 102 and § 103 be withdrawn. For the foregoing reasons, Applicants respectfully request reconsideration of their patent application and earnestly solicit an early allowance of same.

Submitted by,

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